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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,880	10/22/2001	David Feiner	P-4412-US	7511

7590 05/07/2003
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EXAMINER

GHATT, DAVE A

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 05/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,880

Applicant(s)

FEINER, DAVID

Examiner

Dave A Ghatt

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10-22-01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-10 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 11-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claims 1-5 are objected to because of the following informalities: In the second to last line of claim 1, the applicant recites, "said right guides." Maybe the applicant meant, "said right-sided guides". Appropriate correction is required.

With respect to claim 5, the applicant also uses the language "right guides" when it appears as though the applicant meant "right-sided guides." Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 4, the applicant claims, "a movement controller coupled to said Z-motion units." There is no proper antecedent basis for the *Z-motion units* as recited, and as a result, the pendency of claim 4 is unclear. If claim 4 were amended to depend on claim 3, then this rejection would be withdrawn.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 3, 4, 6, 11, 12, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Satoh et al. (US 6,102,595). As illustrated in Figures 4 and 10, Satoh et al. teaches an apparatus for flattening a substrate P against a surface of a platform 12. The apparatus of Satoh includes several guides (36, 38) including a left-sided guide and right-sided guide, each positionable with respect to the platform 12, via rotation of shaft 26. As illustrated in Figure 10, each guide, comprise elements 36 and 38, includes a top right or left protrusion 36. The guides (36, 38) are movable in a direction perpendicular to the surface of the platform 12, so that the respective protrusion 36 is positionable above, below, or at the surface, and when the substrate P is on the platform one of the left-sided guides and one of the right-sided guides are positionable so that their respective protrusions lie above the substrate.

With respect to claims 3 and 4, Satoh et al. teaches a Z-motion unit 26, coupled to the guides for move the guides in a direction perpendicular to the surface. Bearing 28 illustrated in Figure 4 controls the Z-motion unit 26.

With respect to claim 6, Figure 6 teaches a movable printhead 74, as required.

With respect to the method claims 11, 12, and 14, the methods steps are anticipated by the apparatus, as outlined in the above rejection statement.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 5, and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Satoh et al. (US 6,102,595) in view of Noda (US 4,273,457). As outlined in the above rejections to claims 1, 3, 4, 6, 11, 12, and 14, Satoh et al. teaches all the claimed structure and method steps, except for guides that are movable so as to vary the distance between the movable guide and another of the guides. Noda teaches guiding apparatus similar to that of Satoh et al., including a laterally movable guide 2 as recited. To one of ordinary skill in the art, it would have been obvious to make the guides of Satoh et al., laterally movable as taught by Noda, in order to accommodate for substrates of different widths, as taught by Noda in column 2 lines 40-45.

Allowable Subject Matter

8. Claims 7, 8, 9, and 10 are allowed.

Claim 7 is indicated allowable because the prior art of record does not teach or render obvious the total combination claimed, including one or more first guides positionable within said platform, each first guide having a first L-shaped cross section such that if the first guide is positioned so as to protrude above the surface, a portion of the first guide generally parallel to the lower face abuts a strip of an upper face of the substrate along all or part of the first edge.

Art Unit: 2854

Claim 10 is indicated allowable because the prior art of record does not teach or render obvious the total combination claimed, including a first guide having a first L-shaped cross-section positionable within said platform, so that a portion of the first guide generally parallel to the lower face abuts a strip of an upper face of the substrate along all or part of the first edge.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The applicant's attention is invited to the patent to Young, Jr. (US 5,042,121 teaching decurling means for the edges of a substrate).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A Ghatt whose telephone number is (703) 308-2417. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3431.


Application/Control Number: 09/982,880

Page 6

Art Unit: 2854

DAG

May 2, 2003



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